

§ 172. Certain Alabama lands subject to homestead entry

All lands designated as agricultural in the reclassification of the public lands of Alabama by the Secretary of the Interior under authority of Act March 27, 1906 (chapter 1347, section 1, Thirty-fourth Statutes, page 88), shall be subject to homestead entry as such.

(Mar. 27, 1906, ch. 1347, § 2, 34 Stat. 88.)

REFERENCES IN TEXT

Act March 27, 1906 (chapter 1347, section 1, Thirty-fourth Statutes, page 88), referred to in text, is not classified to the Code.

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SUBCHAPTER I—GENERAL PROVISIONS

§ 181. Lands subject to disposition; persons entitled to benefits; reciprocal privileges; helium rights reserved

Deposits of coal, phosphate, sodium, potassium, oil, oil shale, gilsonite (including all vein-type solid hydrocarbons), or gas, and lands containing such deposits owned by the United States, including those in national forests, but excluding lands acquired under the Appalachian Forest Act, approved March 1, 1911 (36 Stat. 961), and those in incorporated cities, towns, and villages and in national parks and monuments, those acquired under other Acts subsequent to February 25, 1920, and lands within the naval petroleum and oil-shale reserves, except as herein-after provided, shall be subject to disposition in the form and manner provided by this chapter to citizens of the United States, or to associations of such citizens, or to any corporation organized under the laws of the United States, or of any State or Territory thereof, or in the case of coal, oil, oil shale, or gas, to municipalities. Citizens of another country, the laws, customs, or regulations of which deny similar or like privileges to citizens or corporations of this country, shall not by stock ownership, stock holding, or stock control, own any interest in any lease acquired under the provisions of this chapter.

The term “oil” shall embrace all nongaseous hydrocarbon substances other than those substances leasable as coal, oil shale, or gilsonite (including all vein-type solid hydrocarbons).

The term “combined hydrocarbon lease” shall refer to a lease issued in a special tar sand area pursuant to section 226 of this title after November 16, 1981.

The term “special tar sand area” means (1) an area designated by the Secretary of the Interior’s orders of November 20, 1980 (45 FR 76800–76801) and January 21, 1981 (46 FR 6077–6078) as containing substantial deposits of tar sand.

The United States reserves the ownership of and the right to extract helium from all gas produced from lands leased or otherwise granted under the provisions of this chapter, under such rules and regulations as shall be prescribed by the Secretary of the Interior: *Provided further*, That in the extraction of helium from gas produced from such lands it shall be so extracted as to cause no substantial delay in the delivery of gas produced from the well to the purchaser thereof.

(Feb. 25, 1920, ch. 85, §1, 41 Stat. 437; Feb. 7, 1927, ch. 66, §5, 44 Stat. 1058; Aug. 8, 1946, ch. 916, §1, 60 Stat. 950; Pub. L. 86-705, §7(a), Sept. 2, 1960, 74 Stat. 790; Pub. L. 97-78, §1(1), (4), Nov. 16, 1981, 95 Stat. 1070.)

REFERENCES IN TEXT

The Appalachian Forest Act, referred to in the first undesignated paragraph, is act Mar. 1, 1911, ch. 186, 36 Stat. 961, as amended, also known as the Weeks Law, which is classified to sections 480, 500, 513 to 519, 521, 552 and 563 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 552 of Title 16 and Tables.

AMENDMENTS

1981—Pub. L. 97-78, in first par., substituted “gilsonite (including all vein-type solid hydrocarbons),” for “native asphalt, solid and semisolid bitumen, and bituminous rock (including oil-impregnated rock or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried)”, and added, after first par. three paragraphs which defined “oil”, “combined hydrocarbon lease”, and “special tar sand area”, respectively.

1960—Pub. L. 86-705 included deposits of native asphalt, solid and semisolid bitumen, and bituminous rock.

1946—Act Aug. 8, 1946, reenacted: existing par., less three provisos, as first sentence of first par., inserting “potassium” after “sodium”, which was also included in the 1927 amendment, and substituting provision for disposition of deposits “in incorporated cities, towns, and villages, and in national parks and monuments, those acquired under other Acts subsequent to February 25, 1920, and lands within the naval petroleum and oil-shale reserves” for such disposition “in national parks, and in lands withdrawn or reserved for military or naval uses or purposes” and phrase “associations of such citizens” for “any association of such persons”; former third proviso as second sentence of first par.; former first proviso, as second par., inserting reservation of ownership provision and striking out “permitted” before “leased or otherwise granted”; and former second proviso as proviso in second par.

1927—Act Feb. 7, 1927, included deposits of potassium.

SHORT TITLE OF 2000 AMENDMENTS

Pub. L. 106-463, §1, Nov. 7, 2000, 114 Stat. 2010, provided that: “This Act [amending section 184 of this title and enacting provisions set out as a note under section 184 of this title] may be cited as the ‘Coal Market Competition Act of 2000’.”

Pub. L. 106-393, title V, §501, Oct. 30, 2000, 114 Stat. 1624, provided that: “This title [amending section 191 of this title and enacting provisions set out as a note under section 191 of this title] may be cited as the ‘Mineral Revenue Payments Clarification Act of 2000’.”

SHORT TITLE OF 1987 AMENDMENT

Pub. L. 100-203, title V, §5101(a), Dec. 22, 1987, 101 Stat. 1330-256, provided that: “This subtitle [subtitle B (§§5101-5113) of Pub. L. 100-203, enacting sections 195 and 226-3 of this title, amending sections 187a, 187b, 188, 191, and 226 of this title and section 3148 of Title 16,